



Working Together For Clean Air

December 7, 1999

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way S  
Seattle, WA 98134

**EXECUTIVE DIRECTOR**

Dennis J. McLerran

**BOARD OF DIRECTORS**

**CITY OF SEATTLE, BOARD CHAIR**

Margaret Pageler

**KING COUNTY EXECUTIVE**

Ron Sims

**KITSAP COUNTY**

Charlotte Garrido, Commissioner

**PIERCE COUNTY EXECUTIVE**

Doug Sutherland

**SNOHOMISH COUNTY COUNCIL**

Dave Somers

**EVERETT**

Edward D. Hansen, Mayor

**BREMERTON**

Lynn S. Horton, Mayor

**TACOMA**

Brian Ebersole, Mayor

**MEMBER AT LARGE**

Janet Chalupnik

Dear Mr. Brown:

Ash Grove Cement Company  
Notice and Order of Civil Penalty No. 8985

This Agency wishes to acknowledge and thank you for check #55712. The funds (\$1,000.00) from this check, when deposited to the Agency, are accepted as full payment of Notice and Order of Civil Penalty No. 8985.

Thank you for your action to ensure compliance with Agency regulations and in joining with this Agency in efforts to achieve cleaner air.

Sincerely,

Neal J. Shulman  
Manager - Inspection

NJS:ml

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Rick D. Hess, Senior Inspector  
Melissa McAfee, Inspector  
Elizabeth Gilpin, Inspector  
Rosemary Busterna, Senior Inspector  
Fred Austin, Engineer

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001411



Working Together For Clean Air

December 28, 1999

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way South  
Seattle WA 98134

Dear Mr. Brown:

Application for Relief (Remission or Mitigation)  
Notice and Order of Civil Penalty No. 8998

**EXECUTIVE DIRECTOR**

Dennis J. McLerran

**BOARD OF DIRECTORS**

**CITY OF SEATTLE, BOARD CHAIR**

Margaret Pageler

**KING COUNTY EXECUTIVE**

Ron Sims

**KITSAP COUNTY**

Charlotte Garrido, Commissioner

**PIERCE COUNTY EXECUTIVE**

Doug Sutherland

**SNOHOMISH COUNTY COUNCIL**

Dave Somers

**EVERETT**

Edward D. Hansen, Mayor

**BREMERTON**

Lynn S. Horton, Mayor

**TACOMA**

Brian Ebersole, Mayor

**MEMBER AT LARGE**

Janet Chalupnik

This Agency wishes to acknowledge and thank you for check # 56550. The funds (\$6,000.00) from this check, when deposited to the Agency, are accepted as full payment of Notice and Order of Civil Penalty No.8998.

Thank you for your action to ensure compliance with Agency regulations and in joining with this Agency in efforts to achieve cleaner air.

Sincerely,

Neal J. Shulman  
Manager – Inspection

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Rick D. Hess, Senior Air Pollution Inspector  
Melissa McAfee, Air Pollution Inspector  
Elizabeth Gilpin, Air Pollution Inspector  
Fred Austin, Air Pollution Engineer  
Rosemary Busterna, Senior Air Pollution Inspector

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001412

**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT COMPANY**  
c/o Henrik Voldback, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

**NO. 8985**

**\*AMENDED\*  
NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36725, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency in the following particulars:

On or about November 3, 1998, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

For the violation that occurred on or about the 3rd day of November 1998, wherein you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of one thousand dollars (\$1,000.00).\*

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

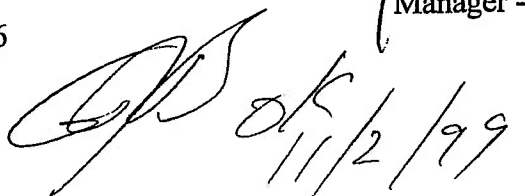
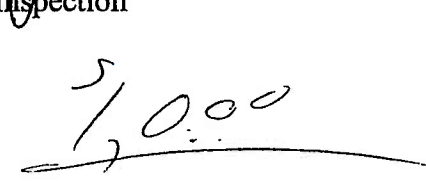
In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 29th day of September 1999.

Dennis J. McLerran  
Air Pollution Control Officer

  
by Neal J. Shulman  
Manager - Inspection

Certified Mail No. Z 116 155 816

 11/2/99  5,000

AGCS2M001413

**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT CO.**  
c/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

NO. 8998

**\*AMENDED\*  
NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation Nos. 36726 and 36727,\* copies of which were previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency (formerly Puget Sound Air Pollution Control Agency) in the following particulars:

On or about the 28th day of January 1999, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main baghouse in excess of 501 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5(b). (NOV 36726)

\*On or about March 4, 5, 6, 8 and 12, 1999, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average and/or NOx emissions in excess of 700ppm corrected to 10% O2 for a one-hour average in violation of Condition 5(b). (NOV 36727)\*

As a result of the foregoing violation, a penalty is assessed against you as follows:

For the violations that occurred on or about:

January 28, 1999	\$1,000.00	(NOV36726)*
March 4, 1999	\$1,000.00	(NOV36727)*
March 5, 1999	\$1,000.00	(NOV36727)*
March 6, 1999	\$1,000.00	(NOV36727)*
March 8, 1999	\$1,000.00	(NOV36727)*
March 12, 1999	\$1,000.00	(NOV36727)*

**Total Penalty     \$6,000.00\***

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

AMENDED NOTICE AND ORDER  
OF CIVIL PENALTY - 1

AGCS2M001414

**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT CO.**  
c/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

**NO. 8998**

**\*AMENDED\*  
NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation Nos. 36726 and 36727,\* copies of which were previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency (formerly Puget Sound Air Pollution Control Agency) in the following particulars:

On or about the 28th day of January 1999, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main baghouse in excess of 501 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5(b). (NOV 36726)

\*On or about March 4, 5, 6, 8 and 12, 1999, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average and/or NOx emissions in excess of 700ppm corrected to 10% O2 for a one-hour average in violation of Condition 5(b). (NOV 36727)\*

As a result of the foregoing violation, a penalty is assessed against you as follows:

For the violations that occurred on or about:

January 28, 1999	\$1,000.00	(NOV36726)*
March 4, 1999	\$1,000.00	(NOV36727)*
March 5, 1999	\$1,000.00	(NOV36727)*
March 6, 1999	\$1,000.00	(NOV36727)*
March 8, 1999	\$1,000.00	(NOV36727)*
March 12, 1999	\$1,000.00	(NOV36727)*

**Total Penalty      \$6,000.00\***

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

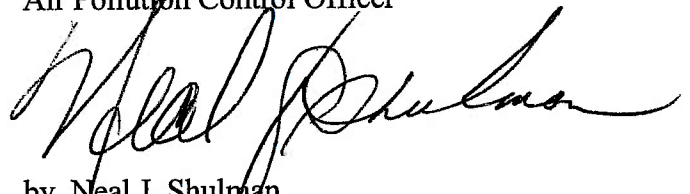
AMENDED NOTICE AND ORDER  
OF CIVIL PENALTY - 1

AGCS2M001415

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 29th day of September 1999.

Dennis J. McLerran  
Air Pollution Control Officer



by Neal J. Shulman  
Manager - Inspection

Certified Mail No. Z 116 155 816



**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT COMPANY**  
c/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

**NO. 8985**

**\*AMENDED\*  
NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36725, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency in the following particulars:

On or about November 3, 1998, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

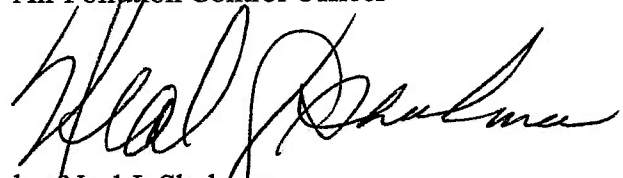
For the violation that occurred on or about the 3rd day of November 1998, wherein you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of one thousand dollars (\$1,000.00).\*

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 29th day of September 1999.

Dennis J. McLerran  
Air Pollution Control Officer

  
by Neal J. Shulman  
Manager - Inspection

Certified Mail No. Z 116 155 816

AGCS2M001417



Working Together For Clean Air

10/1/99

110 Union Street, Suite 500  
Seattle, Washington 98101

Ph 206.343.8800  
1.800.552.3565  
Fax 206.343.7522

EXECUTIVE DIRECTOR  
Dennis J. McLerran

BOARD OF DIRECTORS

CITY OF SEATTLE, BOARD CHAIR  
Margaret Pageler

KING COUNTY EXECUTIVE  
Ron Sims

KITSAP COUNTY  
Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE  
Doug Sutherland

SNOHOMISH COUNTY COUNCIL  
Dave Somers

EVERETT  
Edward D. Hansen, Mayor

BREMERTON  
Lynn S. Horton, Mayor

TACOMA  
Brian Ebersole, Mayor

MEMBER AT LARGE  
Janet Chalupnik

September 30, 1999

Ash Grove Cement Company  
C/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle Washington 98134

Re: Notice of Disposition on Application for Relief  
Notice and Order of Civil Penalty No. 8985  
And

Service of Amended Notice and Order of Civil Penalty No. 8998

Dear Mr. Voldbaek:

This Agency previously received your Application for Mitigation of Notice and Order of Civil Penalty No 8985. We have reviewed the Application and the information provided during the office conference held to discuss this matter. As a result, and as disposition, we are enclosing an Amended Notice and Order of Civil Penalty No. 8985. That amendment reduces the penalty from the original amount of \$3,000.00 to the amended amount of \$1,000.00.

Thirty (30) days after you receive this letter the Civil Penalty becomes due and payable in the full amount of \$1,000.00 unless it is appealed to the Pollution Control Hearings Board (PCHB). If you wish to appeal this Civil Penalty, your appeal must be presented to the PCHB, with a copy provided to this Agency, within this thirty (30) day period. Enclosed is an informal guide, published by the PCHB, to inform you of your rights and responsibilities in an appeal.

In addition, we are serving you with Amended Notice and Order of Civil Penalty No. 8998. That amendment reduces the original penalty attributable to Notice of Violation (NOV) No. 36726 from \$4,000.00 to the amended amount of \$1,000.00.

However, a penalty in the amount of \$5,000.00 for NOV No. 36727 as been added, bringing the total amount of Amended Notice and Order of Civil Penalty to \$6,000.00.



Ash Grove Cement  
September 30, 1999  
Page two

If you have any questions concerning these matters please feel free to call me at  
(206) 689-4078.

Sincerely,



Neal J. Shulman  
Manager - Inspection

Enclosures: Amended Civil Penalty Nos. 8985 and 8998

cc: Laurie Halvorson  
Rick Hess  
Elizabeth Gilpin  
Melissa McAfee  
Fred Austin  
Accounting

# ASH GROVE CEMENT COMPANY



WESTERN REGION

August 27, 1999

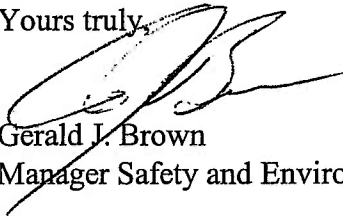
Ms. Elizabeth Gilpin  
Puget Sound Clean Air Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Notice and Order of Civil Penalty No. 8998 and CSR May 10, 1999

Dear Ms. Gilpin:

Please find enclosed the revised Operations and Maintenance Plan. We would appreciate suggestions you may have for improving the plan.

Yours truly,



Gerald J. Brown  
Manager Safety and Environment

Copy: Henrik Voldback

AGCS2M001420

PUGET SOUND AIR POLLUTION CONTROL AGENCY

110 Union Street, Suite 500, Seattle, Washington 98101-2038

Fax: 206-343-7522

Registration No. 11339

Elizabeth Gilpin  
Fred Austin

Case No. \_\_\_\_\_

580 038 889

5-28-99

COMPLIANCE STATUS REPORT

Date of Report May 10, 19 99 at \_\_\_\_\_ m.

Source Name <u>Ash Grove Cement Co.</u>	Responsible Person, Title <u>Henrik Voldbaek, PH Mgr</u>
Location <u>3801 E Marginal Wy S</u> <u>Seattle, WA 98134</u>	

☐ No violations of PSAPCA's regulations were observed at the time of my inspection, with respect to the areas of the facility I inspected.

☐ During my <sup>review of CSR responses dated April 26, 1999 + February 2</sup> inspection I noted the following deficiencies:

A. Please provide updated O&M plan procedures + frequencies to maintain

① clinker shed penthouse door seals and ductwork cleaning.

② bag inspection on G-cooler dust collector

③ static pressure for the fan for the kiln baghouse

④ ductwork cleaning for hot air blower for coal mill

⇒ O&M plan shall also show logs for visible emission inspections for these areas. Reg I 7.09(b)

B. The request for WAC 173-400-107(4) exemption for NOV 36726 is denied. Your letter indicates the facility cannot comply with the NOx standard at startup. Please contact the Agency if you wish to submit an application with a demonstration for a higher NOx limit.  
Please submit a written report within ten (10) working days describing the necessary corrective action you have taken or propose to take, including a schedule, to address the above deficiencies.

Issued by: M. M. C.  
Fred Austin

Received by \_\_\_\_\_

Signing this is not an admission of guilt

**PUGET SOUND AIR POLLUTION CONTROL AGENCY )**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT CO.**  
c/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

**RECEIVED**  
**JUN 29 1999**  
**AGCW-SEATTLE**

**NO. 8998**

**NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36726, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Air Pollution Control Agency in the following particulars:

On or about the 28th day of January 1999, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main baghouse in excess of 501 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

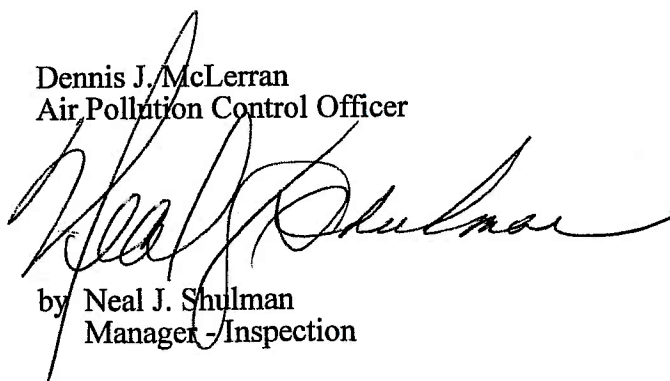
For the violation that occurred on or about the 28th day of January 1999, wherein you caused or allowed excess NOx emissions in violation of Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Air Pollution Control Agency, a penalty is assessed against you in the amount of four thousand dollars (\$4,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

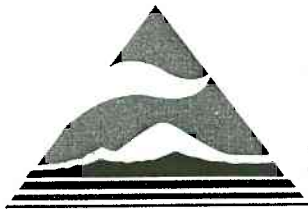
Dated this 25th day of June 1999.

Dennis J. McLerran  
Air Pollution Control Officer

  
by Neal J. Shulman  
Manager - Inspection

Certified Mail No. Z 580 038 998

AGCS2M001422



PUGET SOUND AIR POLLUTION CONTROL AGENCY  
KING COUNTY    ▲    KITSAP COUNTY    ▲    PIERCE COUNTY    ▲    SNOHOMISH COUNTY

August 06, 1999

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way South  
Seattle WA 98134

Dear Mr. Brown:

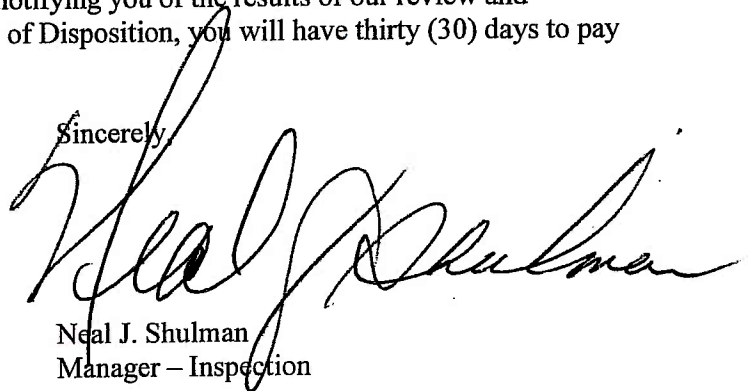
Application for Relief (Remission or Mitigation)  
Notice and Order of Civil Penalty No. 8998

On August 3, 1999, this Agency received your Application for Remission or Mitigation, requesting that we mitigate Civil Penalty No. 8998.

Your request will be evaluated according to Section 3.11(c) of PSAPCA's Regulation I. This regulation provides that a penalty will be mitigated only if you demonstrate extraordinary circumstances, such as the presence of facts or information not already considered in setting the original penalty.

The deadline for appealing the penalty will be suspended until we have responded to your request. We will provide you with a Notice of Disposition on Application for Relief, notifying you of the results of our review and explaining the appeal process. Once you receive this Notice of Disposition, you will have thirty (30) days to pay the penalty or appeal our decision.

Sincerely,



Neal J. Shulman  
Manager - Inspection

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Rick D. Hess, Senior Air Pollution Inspector  
Melissa McAfee, Air Pollution Inspector  
Elizabeth Gilpin, Air Pollution Inspector  
Fred Austin, Air Pollution Engineer  
Rosemary Busterna, Senior Air Pollution Inspector

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Margaret Pageler, City of Seattle, Board Chair

Lynn S. Horton, Mayor, Bremerton  
Doreen Sorenson, Snohomish County Council

Brian Ebersole, Mayor, Tacoma  
Charlotta Corrado, Commissioner, Kitsap County

AGCS2M001423





Seattle Plant

**facsimile**

TRANSMITTAL

to: Neal Shulman

Fax: Puget Sound Clean Air Agency  
343-7522

re: Correction

date: Wednesday August 4, 1999

Number of pages following this page: 1

Neal:

I have corrected the error that you noted on my July 30 letter. The correct number is 8998.

Thanks,  
Fat-Fingers

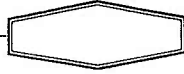
From the desk of ...

**Gerald J. Brown, CSP**  
Manager Safety and Environmental  
Ash Grove Cement Company  
3801 E. Marginal Way So.  
Seattle, WA 98134

(206) 694-6221  
fax: (206) 623-5355

AGCS2M001424

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

July 30, 1999

Mr. Neal Shulman  
Puget Sound Clean Air Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Request for Mitigation, Notice and Order of Civil Penalty Nos. 8998

Dear Mr. Shulman:

Ash Grove Cement Co. requests mitigation for Notice and Order of Civil Penalty Nos. 8998. We ask this penalty be considered as discussed with PSAPCA in our June 28, 1999 meeting.

Yours truly,

Gerald J. Brown  
Manager Safety and Environment

Copy: Henrik Voldbaek

AGCS2M001425

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

July 30, 1999

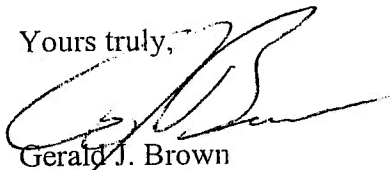
Mr. Neal Shulman  
Puget Sound Clean Air Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Request for Mitigation, Notice and Order of Civil Penalty Nos. 8988

Dear Mr. Shulman:

Ash Grove Cement Co. requests mitigation for Notice and Order of Civil Penalty Nos. 8988. We ask this penalty be considered as discussed with PSAPCA in our June 28, 1999 meeting.

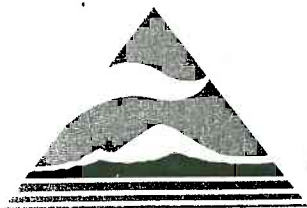
Yours truly,



Gerald J. Brown  
Manager Safety and Environment

Copy: Henrik Voldbaek

AGCS2M001426



PUGET SOUND AIR POLLUTION CONTROL AGENCY  
KING COUNTY    ▲    KITSAP COUNTY    ▲    PIERCE COUNTY    ▲    SNOHOMISH COUNTY

June 9, 1999

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager – Safety and Environment  
3801 East Marginal Way South  
Seattle WA 98134

Dear Mr. Brown:

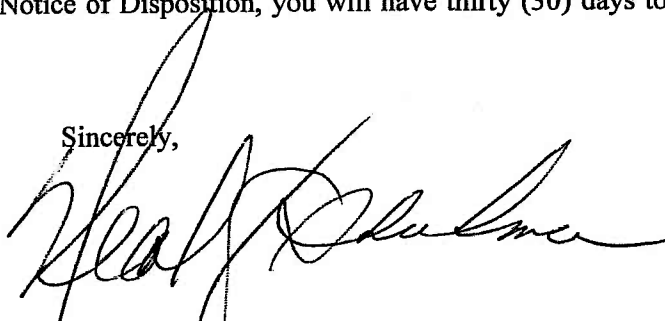
Application for Relief (Remission or Mitigation)  
Notice and Order of Civil Penalty No. 8985

Pursuant to your telephone conversation with our office, a meeting to discuss mitigation of Civil Penalty No. 8985 has been set at our office, 110 Union Street, Suite 500 in Seattle, Washington on Monday, June 28<sup>th</sup>, at 2:00 p.m. This matter continues to be in the mitigation process.

The Application and the information you present in the meeting will be evaluated pursuant to the requirement of Section 3.11(c) of PSAPCA's Regulation I. This regulation provides that a penalty will be mitigated only if you demonstrate extraordinary circumstances, such as the presence of facts or information not already considered in setting the original penalty.

We will provide you with a Notice of Disposition on Application for Relief, notifying you of the results of our review and explaining the process. Once you receive this Notice of Disposition, you will have thirty (30) days to either pay the penalty or appeal our decision.

Sincerely,



Neal J. Shulman  
Manager – Inspection

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Fred Austin, Air Pollution Engineer  
Rosemary Busterna, Air Pollution Inspector  
Rick D. Hess, Senior Air Pollution Inspector  
Melissa McAfee, Air Pollution Inspector  
Elizabeth Gilpin, Air Pollution Inspector

Dennis J. McLerran, Air Pollution Control Officer

B O A R D O F D I R E C T O R S

Margaret Pageler, City of Seattle, Board Chair  
Janet Chalupnik, Member at Large

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AGCS2M001427

RECEIVED

MAY 03 1999

NO. 8985-100W-SEATTLE

NOTICE AND ORDER  
OF CIVIL PENALTY

**PUGET SOUND AIR POLLUTION CONTROL AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT COMPANY**  
c/o Henrik Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36725, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Air Pollution Control Agency in the following particulars:

On or about November 3, 1998, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

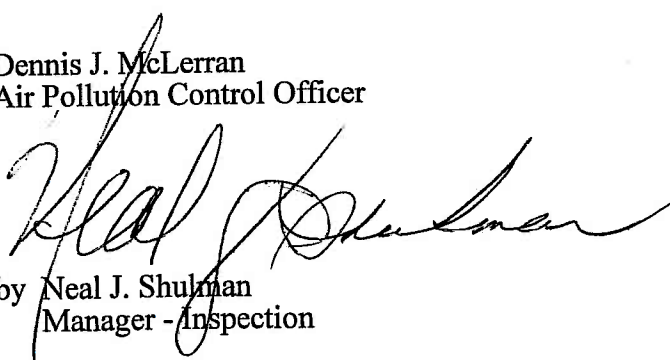
For the violation that occurred on or about the 3rd day of November 1998, wherein you caused or allowed NOx emissions from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average, in violation of Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Air Pollution Control Agency, a penalty is assessed against you in the amount of three thousand dollars (\$3,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 29th day of April 1999.

Dennis J. McLerran  
Air Pollution Control Officer

  
by Neal J. Shulman  
Manager - Inspection

Certified Mail No. Z 580 038 985

AGCS2M001428



**NOV # 36866 - Penalty Order # 8936**

1/19/99

6/3	<b>1. Coal Mill shut down for emergency - vanes and main motor.</b> <b>2. Raw Mill begins making ½ coal mix to silo #2</b>	
6/6		<b>Kiln shut down 05:00; (Pan conveyer trip)</b> <b>Preheat begins 09:30; Feed on 13:50</b>
6/7	<b>1. Raw Mill shuts down for triple gate failure. Two tires found broken. 05:20</b> <b>2. Silo 2 empty switch to feed in silo 1 04:00</b> <b>3. Kiln Startup ends 13:50</b> Out on NOx 24/hr avg. peaks 1300,1400, 1500 and 1600hrs. 14 of 24 kiln hours in startup	
6/8	<b>Raw mill back up on ½ coal mix. 20:00</b>	

NOV # 36867 - 70 - Penalty Order # 8937

Raw mill making ½ coal mix since 6/8

6/9	<b>Coal Mill #2 up 1240</b>  <b>Kiln Pfister goes down 17:15</b>	<b>Kiln shut down 13:40; (Computer control)</b> <b>Preheat begins 14:15</b> <b>Feed on 14:30</b> <b>Kiln shut down 17:55; (Kiln drive trip)</b> <b>Preheat begins 18:50</b> <b>Feed on 21:15</b>
6/10	<b>1. Kiln Startup ends 21:15</b> <b>2. Determined that Pfister gear box bearing failed</b> <b>3. Lowered feed target to gas</b> <b>4. Started tires.</b> <b>5. Called to expedite 5/14 order, Order hand already shipped. Rec.: 5/18</b> <b>6. Began search to find parts locally</b> <b>7. Gear box swapped with calciner Pfister - gear ratio different</b> Out on NOx 24/hr avg Note: On 5/14, a seal kit and a set of bearings were ordered for the kiln Pfister 21 of 24 hours kiln in startup	
6/11	<b>Found local source and ordered parts. BESCO</b> <b>Replace gear box in calciner Pfister</b> Out on NOx 24/hr avg	
6/12	<b>Expecting delivery of parts from local source.</b> Out on NOx 24/hr avg	
6/13	<b>1. Parts arrive and installed.</b> <b>2. Kiln Pfister feeder repaired back on line 1600</b> Out on NOx 24/hr avg 23 of 24 hours kiln in startup	<b>Kiln shut down 01:10; (Gas Leak Burner pipe)</b> <b>Preheat begins 04:15</b> <b>Feed on 07:50</b>
6/14	<b>Kiln Startup ends 07:50</b>	

**59 of 96 hours in startup**

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

May 11, 1999

Mr. Neal Shulman  
Puget Sound Air Pollution Control Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Request for Mitigation, Notice and Order of Civil Penalty Nos. 8985

Dear Mr. Shulman:

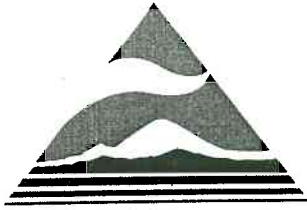
Ash Grove Cement Co. requests mitigation for Notice and Order of Civil Penalty Nos. 8985. We ask for a meeting with PSAPCA to discuss the referenced event and explain the remedial actions taken.

Your assistance is appreciated

Yours truly,

Gerald J. Brown  
Manager Safety and Environment

Copy: Henrik Voldbaek



PUGET SOUND AIR POLLUTION CONTROL AGENCY  
KING COUNTY ▲ KITSAP COUNTY ▲ PIERCE COUNTY ▲ SNOHOMISH COUNTY

May 26, 1999

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager – Safety and Environment  
3801 East Marginal Way South  
Seattle WA 98134

Dear Mr. Brown:

Application for Relief (Remission or Mitigation)  
Notice and Order of Civil Penalty No. 8985

On May 12, 1999, this Agency received your Application for Remission or Mitigation, requesting an office-conference to discuss mitigation of Civil Penalty No. 8985

A PSAPCA representative will be contacting you with in the next couple of weeks to set up the office-conference. The deadline for appealing the penalty will be suspended until you have met with this Agency and the case is discussed further.

Sincerely,

Neal J. Shulman  
Manager – Inspection

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Fred Austin, Air Pollution Engineer  
Rosemary Busterna, Air Pollution Inspector  
Rick D. Hess, Senior Air Pollution Inspector  
Melissa McAfee, Air Pollution Inspector  
Elizabeth Gilpin, Air Pollution Inspector

Dennis J. McLerran, Air Pollution Control Officer  
B O A R D O F D I R E C T O R S

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Brian Ebersole, Mayor, Tacoma  
Charlotte Garrido, Commissioner, Kitsap County

AGCS2M001431

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

February 18, 1999

Elizabeth Gilpin  
Puget Sound Air Pollution Control Agency  
110 Union Street, Suite 500  
Seattle WA 98101-2038

Dear Ms. Gilpin:

**Re: Notice of Violation # 36725**

The following is further information as you requested on the excess NO<sub>x</sub> emissions reported in our CEM from November, 1998. We hope this is adequate.

## **NO<sub>x</sub> Emissions:**

### **November 03, 1998:**

As reported, both of the coal mills were shut down for maintenance. We were forced to switch the primary fuel to gas. With 95% gas and the chemistry of our kiln feed configured for coal, we were unable to control the NO<sub>x</sub>. This was necessary maintenance as our coal mills weren't able to maintain a proper operating time (due to mechanical problems) to supply enough coal at a proper fineness to the kiln. This incident should be excused from penalty under WAC 173-400-107 (5).

This shutdown was planned so that a consultant could inspect our coal mills to increase operating time and improve the quality. If we increased the operating time, we could decrease the number of time we have to switch to gas unexpectedly. Increasing the quality would improve the flame shape out of our main burner and could reduce both Carbon Monoxide and NO<sub>x</sub> emissions through increased stability of our kiln. During the outage we replaced the bowl liners of one mill and replaced the rotary feeder / airlock for the other. Through these changes and continued PM. We hope to improve their operations. It was necessary to schedule the inspections and maintenance of the mills both on this day as was dictated by the consultant's schedule. It could not have been scheduled in any other way. The design of these mills is industry standard and is not inadequate and we perform routine Preventive Maintenance to ensure their operation. We feel that we should be excused from penalty under WAC 173-400-107 (5).

### **November 12, 1998:**

We switched to full gas to perform maintenance on our powdered coal feeder. This was necessary maintenance as the feeder had been controlling poorly and had the potential to create combustibles. While we were on gas we were unable to control the NO<sub>x</sub>. The operator as in the case above had a raw feed mix designed to be burned with coal. Without the addition of coal ash to the mix, it by nature produces more NO<sub>x</sub>. The operator through stabilization of the kiln attempted to control the emissions.

Our powdered fuel feeder was running at a constant speed and was not making the necessary adjustments to maintain its flow at a constant rate. There were swings in the flow rate of up to 50%. This caused fluctuations in our CO emissions and made the kiln operation very unstable. It was absolutely necessary to shut the feeder down for maintenance at this time. During the maintenance, it was found that a limit switch which controls the feeders automatic cleaning cycle had moved and the feeder was locked into its cleaning mode (this locks the feeder into a constant speed). The limit switch was fixed and the feeder restarted. As this was a new problem, those involved in the maintenance and operation of this feeder were trained on

recognizing and fixing this problem. We feel that the failure of this limit switch could not have been reasonable avoided. This was not a problem caused by improper operation or maintenance. The event is not of a recurring nature as it is the first time this limit switch has failed in its seven years of operation and the operator did what was in their power to minimize the emissions. Thus we feel that this event should be excused from penalty under WAS173-400-107(6).

**November 27, 1998:**

A valve which divides the feed to the kiln between the top stage and the second stage had an electrical failure and moved on its own. This caused the feed to be diverted to the second stage heating up the kiln and creating NO<sub>x</sub>. The valve was disconnected from its drive and manually set back in the correct position. This is the first incident of its kind in the seven years the plant has been operating. To prevent an incident in the future, the drive was repaired. This incident should be excused from penalty under WAC 173-400-107 (6). The scheduling of the maintenance was necessary and the event was not caused by poor operation, design or maintenance.

This splitter gate is not used. It actually has not been moved in the seven years the kiln has operated. To ensure that this does not happen in the future, it was disconnected electrically and mechanically locked into place.

Sincerely,

J. Trygve Grey  
Process Engineer



**Penalty 8985**

November 3, 1998 exceedance of the 501 ppmc 24 hour

NOx	No. events	No. NOx Exceedances		Coal System Related	
		700ppmc 1 hr.	501ppmc 24 hr	1 hr. exceedances	24 hr exceedances
99 MAY	0	0	0	0	0
99 APRIL	2	7	2	0	0
99 MARCH	6	17	5	17	5
99 FEBRUARY	3	3	1	3	0
99 JANUARY	2	1	1	0	0
98 DECEMBER	8	12	2	0	0
98 NOVEMBER	3	17	2	16	2
98 OCTOBER	2	1	2	1	2
98 SEPTEMBER	1	5	0	5	0
98 AUGUST	0	0	0	0	0
98 JULY	0	0	0	0	0
98 JUNE	3	13	5 <sup>(1)</sup>	4	5
<b>Total</b>	<b>28</b>	<b>69</b>	<b>18</b>	<b>46</b>	<b>14</b>
(1) Reported as 6					
<b>700ppmc 1 hr. exceedances related to the Coal system</b>				<b>67%</b>	
<b>501ppmc 24 hr exceedances related to the Coal system</b>				<b>78%</b>	
<b>Total 1 hr. and 24 hr exceedances related to the Coal system</b>				<b>69%</b>	

6/98-3/99

Equipment	Work hours	Contract labor	Total Parts and labor
Coal Mill #1	836	\$21,089.00	\$ 56,541.94
Coal Mill #2	426	\$ 3,711.00	\$ 14,835.61
PF Coal Feeders	249	\$53,864.00	\$ 63,306.72
Coal Mill Common			\$ 10,457.75
<b>Pre-shutdown - Total</b>	<b>1511.</b>	<b>\$57597.00</b>	<b>\$145,142.00</b>

**Shutdown- March14, 1999 – April 2,1999**

	Work hours for	Contract labor
<b>Coal Mill Common</b>	480 hours Rotary feeders Mill liners and rolls	Rebuilt Main Draft Fans Rebuilt Booster Rebagged D/C
<b>PF Coal Feeders</b>	672 Hours Rebuild Pfister feeder Calibrate load cells	Manuf.Consultant (\$15000 for Pfister Rebuild) Rebagged D/C Rebuilt Altmeyer Feeder Screw Cleaned PF bin Installed new aeration pads